

COOPERATIVE AGREEMENT

for

RECOVERY IMPLEMENTATION PROGRAM FOR
ENDANGERED SPECIES IN
THE UPPER COLORADO RIVER BASIN

1. Purpose. The parties hereto agree to participate in and implement the recovery program as provided for in the document "Recovery Implementation Program for Endangered Fish Species in the Upper Colorado River Basin" (Program), dated September 29, 1987. The parties also agree to participate in the Recovery Implementation Committee which will be established to oversee the implementation of the Program. The Program provides for a broad range of measures to manage and recover three endangered fishes and to manage the razorback sucker, while providing for new water development to proceed in the Upper Colorado River Basin. The Program has five principal elements: (a) habitat management through the provision of instream flows; (b) nonflow habitat development and maintenance; (c) native fish stocking; (d) management of nonnative species and sportfishing; and (e) research, data management, and monitoring. The Program depends on the effective implementation of all of these elements and on their successful coordination. It is agreed that the Program may be modified from time to time by the Committee as experience is gained in implementing the Program.

2. Geographic Scope. The Program and this Cooperative Agreement apply only to the Upper Colorado River Basin above Glen Canyon Dam, excluding the San Juan River Subbasin.

3. Term. This Cooperative Agreement shall remain in effect for a period of 15 years from the date of its execution.

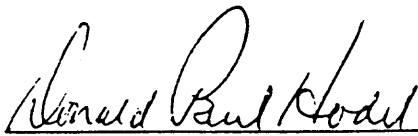
4. Amendment. This Cooperative Agreement may be extended, amended, or terminated by agreement of the parties, or any party may withdraw from this Cooperative Agreement upon written notice to the other parties.

5. Authorities and Responsibilities

A. Federal Cooperation with States. Section 2(c)(2) of the Endangered Species Act, states that "the policy of Congress is that Federal agencies shall cooperate with State and local agencies to resolve water resource issues in concert with conservation of endangered species." Under Section 6 of the Act, the Secretary of the Interior is directed to cooperate to the maximum extent practicable with the States in carrying out the program authorized by the Act and to consult with affected States before acquiring any land and water, or interest therein, for the purpose of conserving endangered species. Under Section 6 of 41 USC 505, an executive agency should enter a cooperative agreement when anything of value will be transferred to a State or local government to carry out a public purpose authorized by Federal statute.

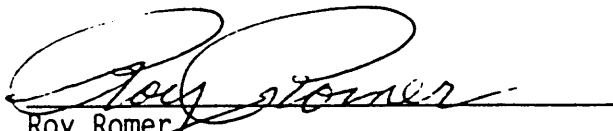
B. Recovery Plans and Teams. Under Section 4(f) of the Endangered Species Act, the Secretary is directed to develop and implement plans for the conservation of endangered species and may procure the services of public and private agencies and institutions in developing and implementing such recovery plans.

C. Consultation and Coordination Among Federal Agencies. Under Section 7 of the Endangered Species Act, Federal agencies shall utilize their programs and authorities in furtherance of the purposes of the Act and ensure




Donald Paul Hodel
Secretary of the Interior


Jan 21, 1988
Date


Roy Romer
Governor of Colorado

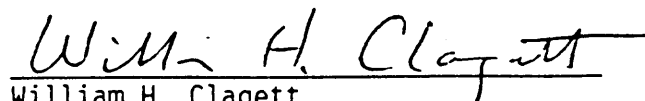
1/21/88
Date


Norman H. Bangert
Governor of Utah

1/22/88
Date


Mike Sullivan
Governor of Wyoming

1/21/88
Date


William H. Clagett
Administrator, Western Area Power
Administration, Department of Energy

21 Jan 88
Date



United States Department of the Interior
FISH AND WILDLIFE SERVICE

MAILING ADDRESS:
Post Office Box 25486
Denver Federal Center
Denver, Colorado 80225

STREET LOCATION
134 Union Blvd.
Lakewood, Colorado 80228

IN REPLY REFER TO:

FWE/SE/Cooperative
Agreement
Mail Stop 60153

orig file
go below
listed
RECEIVED
FEB 22 1988

FEB 5 1989

DIVISION OF
OIL, GAS & MINING

Dear Interested Party:

Enclosed for your information is a fully executed copy of the Cooperative Agreement to implement the "Recovery Implementation Program for Endangered Fish Species in the Upper Colorado River Basin." The agreement was executed on January 21-22, 1988, by the Secretary of the Interior, the Governors of the States of Colorado, Utah, and Wyoming and the Administrator of The Western Area Power Administration.

If you have questions about this Agreement, please contact me at (303) 236-7398 or FTS 776-7398.

Sincerely,

John Hamill
Colorado River Endangered
Species Recovery Coordinator

Enclosure

cc & Faith
T. Boye
C. Hunt
K. May
L. Braxton
M. A. Wright
J. Whitehead
Shinner
M. D. D.